

-FILED-

July 31, 2020
Missoula County

Justice Court of Record

STATE OF MONTANA

By: Jessie Buresh
CR-610-2020-0002557
Beal, Alex

MAC BLOOM
Deputy County Attorney
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Missoula County Courthouse
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ATTORNEYS FOR PLAINTIFF

IN THE JUSTICE COURT OF RECORD OF MISSOULA COUNTY,
STATE OF MONTANA

<p>STATE OF MONTANA, Plaintiff, -vs- JAMES CHRISTIAN GARNER, Defendant.</p>	<p>Dept. Cause No. AFFIDAVIT OF PROBABLE CAUSE</p>
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STATE OF MONTANA)
 : ss
County of Missoula)

MAC BLOOM, Deputy County Attorney, Montana, being first duly sworn upon oath, deposes and says:

I have read the law enforcement reports regarding the investigation of JAMES CHRISTIAN GARNER for allegedly committing the offenses of:

COUNT I: ASSAULT WITH WEAPON, a felony, in violation of § 45-5-213, MCA;

COUNT II: ASSAULT WITH WEAPON, a felony, in violation of § 45-5-213, MCA;

COUNT III: ASSAULT WITH WEAPON, a felony, in violation of § 45-5-213, MCA;

COUNT IV: ASSAULT WITH WEAPON, a felony, in violation of § 45-5-213, MCA;

COUNT V: CRIMINAL TRESPASS TO PROPERTY, a misdemeanor, in violation of § 45-6-203, MCA.

I believe that the facts as set forth in the law enforcement reports, if true, constitute sufficient probable cause to justify the filing of the charges.

Those facts are as follows:

On July 30, 2020, at approximately 12:07 p.m., MCSO deputies responded to West Nine Mile Road regarding multiple reports of an assault with a weapon. Dispatch advised that the suspect was possibly James Garner. Garner had reportedly been firing a substantial amount of ammunition the prior evening and then began pointing a firearm at several people the following day. Deputies responded to Garner's house and took him into custody. During the arrest Garner made threats to kill the deputies.

Natalie Grubb stated that she was at her residence on West Nine Mile Road when she heard her dogs barking. She went outside to investigate and

heard a loud crash. A pickup truck had crashed into her fence. She soon realized that the driver of the pickup was very scared and was trying to get away from a male standing in the street (Garner). Grubb knows Garner and Garner later identified himself by name. Grubb stated that Garner raised a firearm and began yelling at the man in the truck. Grubb approached Garner and told him to leave. Garner then walked towards Grubb, began yelling at her, and racked the slide of his handgun. He pointed the gun at Grubb. Grubb described the gun as a black, semi-automatic pistol. Grubb believed Garner was going to shoot her.

The driver of the pickup is James Jensen. Jensen stated he was driving north on West Nine Mile Road when he encountered a male walking down the roadway. The male jumped into the middle of the road and blocked Jensen's path. The male had a pistol in his hand. Jensen described the pistol as a black, semi-auto. Jensen tried to avoid the male, but the male continued to block his path. The male then raised the gun and pointed it at Jensen. Jensen believed he was going to die. Jensen put his truck in reverse and accidentally crashed into Grubbs' fence. The male followed Jensen and pointed the gun at him again. The male told Jensen he "needed to leave."

Another complainant, Robert Hansen stated that he was driving south on West Nine Mile Road with his daughter, M.H. Hansen observed a male walking down the middle of the road who yelled at Hansen to slow down. Hansen did so. As Hansen drove past the male, the male raised a pistol and pointed it at the back of Hansen's vehicle. Hansen wasn't sure if the male was going to shoot, but based on the male's state of mind, Hansen wouldn't have put it past him to do so. Hansen was scared enough that he told M.H. to get down onto the floor. M.H. corroborated most of Hansen's statement. She explained that she saw a black object that she thought might be a pistol move in the male's hand. M.H. wasn't extremely scared but stated she kind of was. M.H. didn't fully observe the male pointing the handgun at their truck.

Another complainant, Cynthia Smith, contacted law enforcement to report that Garner had been trespassing on her property. She explained the prior evening, Garner was shooting guns until approximately 2:30 a.m. At one point, she heard him say, "Come and get me. I'll f-n kill you." Garner also cussed at Smith that night. The following morning, Smith found crumpled notes containing three .308 rifle rounds on her welcome mat. The notes were signed by "James." Smith stated she is fearful of Garner.

Another complainant, Robert Kreis, reported that he was driving north on West Nine Mile Road when he encountered a male walking in the roadway. As Kreis drove past him, the male drew a firearm and pointed it at Kreis. Kreis pulled his own firearm and kept driving. Kreis wasn't certain whether the male was committed to shooting Kreis or not, but Kreis was definitely in fear the male was going to shoot at him.

DATED this 31st day of July, 2020.

/s/Mac Bloom
MAC BLOOM
Deputy County Attorney

SUBSCRIBED AND SWORN TO before me, a Justice of the Peace, in and for the State of Montana, County of Missoula.



SHANDOR S. BADARUDDIN

7/31/2020